

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1067

AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 10-18-9 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]:

**Chapter 9. Display of United States Flag Upon Death of Certain Military Personnel**

**Sec. 1. As used in this chapter, "armed forces of the United States" means:**

- (1) the Army;**
- (2) the Navy;**
- (3) the Air Force;**
- (4) the Coast Guard; and**
- (5) the Marine Corps.**

**Sec. 2. As used in this chapter, "died of wounds received in action" means a member, other than a member who is the victim of a terrorist activity, who after reaching a medical treatment facility dies of wounds or other injuries received in action.**

**Sec. 3. As used in this chapter, "half-staff" means the position of a flag when the flag is one-half (1/2) the distance between the top and bottom of the staff.**

**Sec. 4. As used in this chapter, "killed in action" means a member, other than a member who is the victim of a terrorist activity, who:**

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- (1) is killed outright in action; or
- (2) before reaching a medical treatment facility dies as a result of wounds or other injuries received in action.

**Sec. 5.** As used in this chapter, "member" refers to a member of:

- (1) the armed forces of the United States; or
- (2) the National Guard;

who is a resident of Indiana.

**Sec. 6.** As used in this chapter, "National Guard" means:

- (1) the Indiana Army National Guard; or
- (2) the Indiana Air National Guard.

**Sec. 7.** As used in this chapter, "United States flag" refers to a United States flag flown on property owned or controlled by the state.

**Sec. 8.** Not more than twenty-four (24) hours after receiving notice and confirming through the United States Department of Defense that a member has:

- (1) been killed in action; or
- (2) died of wounds received in action;

the governor shall issue a proclamation ordering the United States flag to be flown at half-staff on the day of the member's funeral or memorial service.

**Sec. 9.** This chapter does not prohibit or otherwise limit the flying of other flags at half-staff under a separate gubernatorial proclamation.

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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